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FM SECSTATE WASHDC
TO RUEHAB/AMEMBASSY ABIDJAN IMMEDIATE 2611
RUEHUJA/AMEMBASSY ABUJA IMMEDIATE 9561
RUEHAR/AMEMBASSY ACCRA IMMEDIATE 4693
RUEHAM/AMEMBASSY AMMAN IMMEDIATE 3116
RUEHAK/AMEMBASSY ANKARA IMMEDIATE 9933
RUEHAH/AMEMBASSY ASHGABAT IMMEDIATE 1475
RUEHTA/AMEMBASSY ASTANA IMMEDIATE 3259
RUEHAC/AMEMBASSY ASUNCION IMMEDIATE 0006
RUEHKB/AMEMBASSY BAKU IMMEDIATE 9116
RUEHBP/AMEMBASSY BAMAKO IMMEDIATE 1026
RUEHBK/AMEMBASSY BANGKOK IMMEDIATE 3088
RUEHBJ/AMEMBASSY BEIJING IMMEDIATE 0188
RUEHLB/AMEMBASSY BEIRUT IMMEDIATE 1290
RUEHBE/AMEMBASSY BELMOPAN IMMEDIATE 3177
RUEHEK/AMEMBASSY BISHKEK IMMEDIATE 5761
RUEHBO/AMEMBASSY BOGOTA IMMEDIATE 4466
RUEHBR/AMEMBASSY BRASILIA IMMEDIATE 4063
RUEHBU/AMEMBASSY BUENOS AIRES IMMEDIATE 7450
RUEHEG/AMEMBASSY CAIRO IMMEDIATE 3008
RUEHRY/AMEMBASSY CONAKRY IMMEDIATE 1608
RUEHCO/AMEMBASSY COTONOU IMMEDIATE 7076
RUEHDK/AMEMBASSY DAKAR IMMEDIATE 3377
RUEHDR/AMEMBASSY DAR ES SALAAM IMMEDIATE 6759
RUEHKA/AMEMBASSY DHAKA IMMEDIATE 1561
RUEHDBU/AMEMBASSY DUSHANBE IMMEDIATE 1124
RUEHFN/AMEMBASSY FREETOWN IMMEDIATE 9850
RUEHGT/AMEMBASSY GUATEMALA IMMEDIATE 3606
RUEHIL/AMEMBASSY ISLAMABAD IMMEDIATE 3335
RUEHJA/AMEMBASSY JAKARTA IMMEDIATE 5001
RUEHBUL/AMEMBASSY KABUL IMMEDIATE 3212
RUEHKM/AMEMBASSY KAMPALA IMMEDIATE 6282
RUEHKT/AMEMBASSY KATHMANDU IMMEDIATE 3462
RUEHKI/AMEMBASSY KINSHASA IMMEDIATE 0242
RUEHKL/AMEMBASSY KUALA LUMPUR IMMEDIATE 2557
RUEHKV/AMEMBASSY KYIV IMMEDIATE 1353
RUEHLP/AMEMBASSY LA PAZ IMMEDIATE 3158
RUEHLG/AMEMBASSY LILONGWE IMMEDIATE 1551
RUEHPE/AMEMBASSY LIMA IMMEDIATE 5769
RUEHMU/AMEMBASSY MANAGUA IMMEDIATE 9540
RUEHML/AMEMBASSY MANILA IMMEDIATE 2306
RUEHME/AMEMBASSY MEXICO IMMEDIATE 3921
RUEHNV/AMEMBASSY MONROVIA IMMEDIATE 4640
RUEHMO/AMEMBASSY MOSCOW IMMEDIATE 3414
RUEHNR/AMEMBASSY NAIROBI IMMEDIATE 2970
RUEHNE/AMEMBASSY NEW DELHI IMMEDIATE 6552
RUEHNM/AMEMBASSY NIAMEY IMMEDIATE 5204
RUEHOU/AMEMBASSY OUAGADOUGOU IMMEDIATE 8846
RUEHZP/AMEMBASSY PANAMA IMMEDIATE 5453
RUEHPF/AMEMBASSY PHNOM PENH IMMEDIATE 0125
RUEHQT/AMEMBASSY QUITO IMMEDIATE 0009
RUEHGO/AMEMBASSY RANGOON IMMEDIATE 8772
RUEHDG/AMEMBASSY SANTO DOMINGO IMMEDIATE 7951
RUEHUL/AMEMBASSY SEOUL IMMEDIATE 1793
RUEHNT/AMEMBASSY TASHKENT IMMEDIATE 1276
RUEHTG/AMEMBASSY TEGUCIGALPA IMMEDIATE 5531
RUEHUM/AMEMBASSY ULAANBAATAR IMMEDIATE 7383
RUEHYD/AMEMBASSY YAOUNDE IMMEDIATE 1140
RUEHDE/AMCONSUL DUBAI IMMEDIATE 8959
RUEHIT/AMCONSUL ISTANBUL IMMEDIATE 3215

C O N F I D E N T I A L SECTION 01 OF 33 STATE 092560

SIPDIS
PLEASE PASS TO LABOR REPORTING OFFICERS

E.O. 12958: DECL: 09/09/2009
TAGS: [EIND](#) [ELAB](#) [ETRD](#) [PHUM](#) [SOCI](#)
SUBJECT: DEPARTMENT OF LABOR LIST OF GOODS PRODUCED BY
FORCED LABOR OR CHILD LABOR: PRESS GUIDANCE AND DEMARCHE

REF: A. 08STATE 43120
[1](#)B. 09STATE 1730

Classified By: DRL/ILCSR RWBOEHME; Reason: 1.4(D)

11. (SBU) This is an action request; see paras.8-11.

12. (SBU) SUMMARY: On September 10, 2009, the Department of Labor (DOL) will release 3 items related to child labor and/or forced labor in numerous countries. (1) DOL will release a report containing its initial "list of goods from countries that the Bureau of International Labor Affairs (ILAB) has reason to believe are produced by forced labor or child labor in violation of international standards" (TVPRA List), mandated under the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005. (2) On the same date, pursuant to Executive Order (E.O.) 13126 of 1999, an initial determination will be released proposing an update to a 2001 list of products, by country, that might have been mined, produced, or manufactured by forced or indentured child labor (E.O. List). The E.O. List is narrower in scope than the TVPRA List, focusing only on forced or indentured child labor. Please note that the proposed E.O. List is an initial determination, and is open for a 90-day public comment period, after which a final list will be issued. (3) DOL is also releasing its 2008 Findings on the Worst Forms of Child Labor, an annual report which DOL has published since 2002. DOL is hereby providing

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post with advance press guidance to be used on September 10 or thereafter. Also provided is demarche language to be used on September 9 (or at Posts' earliest convenience thereafter) in informing host government counterparts of the imminent release of the TVPRA List. A copy of the TVPRA List is provided (see para. 10), for use in informing host government contacts and in any local media release by Posts' public affairs section on September 10 or thereafter. A copy of the E.O. list (see para. 10) is also being included for relevant Posts' reference (21 countries) and to be discussed as appropriate on September 10. As the E.O. list is an initial determination, where applicable, DOL asks Posts to highlight the 90 day public comment period and encourage submissions from governments, civil society, and others to be used in issuing the final E.O. List. An E.O. and TVPRA report package, including FAQs and other materials, will be sent to posts in a separate communication prior to September 9. Please note, however, that any public release of either list should not precede the official release on September 10. End Summary.

13. (SBU) On September 10, 2009, DOL will release 3 reports related to child labor and/or forced labor in numerous countries. (1) DOL will release a report containing its initial "list of goods from countries that the Bureau of International Labor Affairs (ILAB) has reason to believe are produced by forced labor or child labor in violation of international standards." DOL was mandated to produce this List under the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005. This release may receive substantial coverage in domestic and foreign news outlets. Until the time on September 10, 2009 that DOL has officially released its report, public release of the TVPRA List, or countries or goods named therein, is prohibited. (2) On this same date,

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September 10, DOL will also release its annual report, "U.S. Department of Labor's Findings on the Worst Forms of Child Labor," mandated by the Trade and Development Act (TDA) of 2000 (TDA Report). (3) Finally, DOL is issuing a third release on the same date, an "initial determination" pursuant to Executive Order 13126 proposing an update to its 2001 list of products, by country, that DOL preliminarily believes might have been mined, produced, or manufactured by forced or indentured

child labor (E.O. List). Please note that the E.O. List is narrower in scope than the TVPRA List, and focuses only on forced or indentured child labor. Also, please note that the initial determination is not a final list, but a proposed update. The initial determination will be published in the Federal Register on September 11, 2009 and will be open for a public comment period of 90 days. As the E.O. list is an initial determination, where applicable, DOL asks Posts to highlight the 90-day public comment period and encourage submissions from governments, civil society, and others, to be used in issuing the final E.O. List. Please see para. 13, Q22 for an explanation of the difference between the TVPRA List and the E.O. List. Additional E.O. List FAQs will be included in the TVPRA report package being sent to posts. DOL aims to release the three reports together, in part, to enable those posts that appear in all three reports to demarche and provide press guidance in a consolidated manner that will be less burdensome. All three reports will be available on the DOL website (www.dol.gov/ilab) immediately after their official release.

¶4. (SBU) Posts may notice that the TVPRA List and Findings on the Worst Forms of Child Labor report do not include all of the edits proposed by Post. DOL does not require State's

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formal clearance on these reports. Though the Department provided input for the reports, and DOL made changes in response to State's input, ultimately DOL made the final decision regarding information to include in both the TVPRA List and the Findings on the Worst Forms of Child Labor report.

¶5. (U) DOL thanks posts for their inputs to the TVPRA research process and the interagency comment period, which along with thousands of other sources, such as reports issued by international organizations, surveys, academic research, documentation from USG-funded technical assistance and field research projects, and news reports, were carefully analyzed to create the most accurate list possible. The information collected by posts through interviews with NGO personnel and other key informants, site visits, and local media has been invaluable. Although DOL was unable to include all of the additional goods suggested by posts, this information is being reviewed and will be considered for future updates of the initial TVPRA List. DOL will continue to monitor child labor and forced labor conditions in the countries and goods on the TVPRA List, and welcomes additional reporting from post on notable developments.

¶6. (SBU) DOL is hereby providing post with advance press guidance for the TVPRA List, to be used on September 10 or thereafter. Also provided is demarche language to be used in informing host government counterparts of the imminent release of the TVPRA List. Copies of the full TVPRA and E.O. Lists are also provided, both for use in informing host government contacts and in any local media release by Post's public affairs section on September 10 or thereafter. Drawing on information provided below in paras. 11 and 13, Post may provide the host government the two Lists no earlier

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than September 9. Please note, however, that any public release of the E.O. or TVPRA Lists should not precede the release of the DOL's official announcement on September 10.

¶7. (SBU) The entire TVPRA List will be available online at <http://www.dol.gov/ILAB/programs/ocft/tvptra.htm> and the E.O. initial determination will be available at <http://www.dol.gov/ILAB/regs/eo13126/main.htm> shortly after the Secretary of Labor's statement has been issued. The TVPRA List will be published as part of a larger report that includes an explanation of its context, scope, and

limitations; an update on ILAB's actions in response to other TVPRA mandates; bibliographies detailing the sources supporting ILAB's decisions for each good; FAQs; and other materials. Please note that the FAQs have been developed to respond to the majority of questions we have received and anticipate receiving. Should you have additional questions, or should you receive additional questions from local interlocutors, DOL will be glad to provide responses. Please see para. 14 for points of contact at DOL.

¶8. (SBU) Action Request: No earlier than September 9, 2009, please inform the appropriate official in the host country government of the September 10 release of the List, drawing on the points in para. 11 (at Post's discretion) and including a copy of the List.

¶9. (SBU) On September 10, please be prepared to answer media inquiries on the List release using the press guidance provided in para. 13. If Post wishes, a local press statement may be released on or after September 10, drawing on the press guidance and the List provided in para.8.

¶10. (C) Below are the final TVPRA and E.O. Lists:

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TVPRA LIST- CHILD LABOR AND/OR FORCED LABOR
Afghanistan - Bricks - Child Labor
Afghanistan - Carpets - Child Labor
Afghanistan - Flowers (poppies) - Child Labor
Argentina - Blueberries - Child Labor
Argentina - Bricks - Child Labor
Argentina - Cotton - Child Labor
Argentina - Garlic - Child Labor
Argentina - Garments - Child Labor and Forced Labor
Argentina - Grapes - Child Labor
Argentina - Olives - Child Labor
Argentina - Strawberries - Child Labor
Argentina - Tobacco - Child Labor
Argentina - Tomatoes - Child Labor
Argentina - Yerba mate (stimulant plant) - Child Labor
Azerbaijan - Cotton - Child Labor
Bangladesh - Bidis (hand-rolled cigarettes) - Child Labor
Bangladesh - Bricks - Child Labor
Bangladesh - Dried Fish - Child Labor
Bangladesh - Footwear - Child Labor
Bangladesh - Furniture (steel) - Child Labor
Bangladesh - Glass - Child Labor
Bangladesh - Leather - Child Labor
Bangladesh - Matches - Child Labor
Bangladesh - Salt - Child Labor
Bangladesh - Shrimp - Child Labor
Bangladesh - Soap - Child Labor
Bangladesh - Textiles - Child Labor
Bangladesh - Textiles (jute) - Child Labor
Belize - Bananas - Child Labor
Belize - Citrus Fruits - Child Labor
Belize - Sugarcane - Child Labor
Benin - Cotton - Child Labor and Forced Labor

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Benin - Granite (crushed)- Child Labor
Bolivia - Brazil Nuts/Chestnuts - Child Labor and Forced Labor
Bolivia - Cattle - Forced Labor
Bolivia - Corn - Forced Labor
Bolivia - Gold - Child Labor
Bolivia - Peanuts - Forced Labor
Bolivia - Silver - Child Labor
Bolivia - Sugarcane - Child Labor and Forced Labor
Bolivia - Tin - Child Labor
Brazil - Bricks - Child Labor
Brazil - Cattle - Child Labor and Forced Labor
Brazil - Ceramics - Child Labor
Brazil - Charcoal - Child Labor and Forced Labor

Brazil - Cotton - Child Labor
Brazil - Footwear - Child Labor
Brazil - Manioc/Cassava - Child Labor
Brazil - Pineapples - Child Labor
Brazil - Rice - Child Labor
Brazil - Sisal - Child Labor
Brazil - Sugarcane - Forced Labor
Brazil - Timber - Forced Labor
Brazil - Tobacco - Child Labor
Burkina Faso - Cotton - Child Labor and Forced Labor
Burkina Faso - Gold - Child Labor and Forced Labor⁴
Burma - Bamboo - Child Labor and Forced labor
Burma - Beans (green, soy, yellow) - Child Labor and Forced Labor
Burma - Bricks - Child Labor and Forced Labor
Burma - Jade - Child Labor and Forced Labor
Burma - Palm Thatch - Forced Labor
Burma - Physic Nuts/Castor Beans - Forced Labor
Burma - Rice - Child Labor and Forced Labor
Burma - Rubber - Child Labor and Forced Labor
Burma - Rubies - Child Labor and Forced Labor

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Burma - Sesame - Forced Labor
Burma - Shrimp - Forced Labor
Burma - Sugarcane - Child Labor and Forced Labor
Burma - Sunflowers - Forced Labor
Burma - Teak - Child Labor and Forced Labor
Cambodia - Bricks - Child Labor
Cambodia - Rubber - Child Labor
Cambodia - Salt - Child Labor
Cambodia - Shrimp - Child Labor
Cameroon - Cocoa - Child Labor
China - Artificial Flowers - Forced Labor
China - Bricks - Child Labor and Forced Labor
China - Christmas Decorations - Forced Labor
China - Coal - Forced Labor
China - Cotton - Child Labor and Forced Labor
China - Electronics - Child Labor and Forced Labor
China - Fireworks - Child Labor and Forced Labor
China - Footwear - Forced Labor
China - Garments - Forced Labor
China - Nails - Forced Labor
China - Textiles - Child Labor
China - Toys - Child Labor and Forced Labor
Colombia - Bricks (clay) - Child Labor
Colombia - Coal - Child Labor
Colombia - Coca (stimulant plant - Child Labor and Forced Labor
Colombia - Coffee - Child Labor
Colombia - Emeralds - Child Labor
Colombia - Gold - Child Labor
Colombia - Pornography - Child Labor
Colombia - Sugarcane - Child Labor
Cote d'Ivoire - Cocoa - Child Labor and Forced Labor
Cote d'Ivoire - Coffee - Child Labor and Forced Labor
Democratic Republic of the Congo - Cobalt - Child Labor

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Democratic Republic of the Congo - Coltan (metallic ore) - Child Labor
Democratic Republic of the Congo - Copper - Child Labor
Democratic Republic of the Congo - Diamonds - Child Labor
Democratic Republic of the Congo - Gold - Child Labor
Dominican Republic - Coffee - Child Labor
Dominican Republic - Rice - Child Labor
Dominican Republic - Sugarcane - Child Labor and Forced Labor
Dominican Republic - Tomatoes - Child Labor
Ecuador - Bananas - Child Labor
Ecuador - Bricks - Child Labor
Ecuador - Flowers - Child Labor
Ecuador - Gold - Child Labor
Egypt - Cotton - Child Labor
Egypt - Stones (limestone) - Child Labor

Ghana - Cocoa - Child Labor
Ghana - Gold - Child Labor
Ghana - Tilapia (fish) - Child Labor and Forced Labor
Guatemala - Broccoli - Child Labor
Guatemala - Coffee - Child Labor
Guatemala - Corn - Child Labor
Guatemala - Fireworks - Child Labor
Guatemala - Gravel (crushed stones) - Child Labor
Guatemala - Sugarcane - Child Labor
Guinea - Cashews - Child Labor
Guinea - Cocoa - Child Labor
Guinea - Coffee - Child Labor
Guinea - Gold - Child Labor
Honduras - Coffee - Child Labor
Honduras - Lobsters - Child Labor
Honduras - Melons - Child Labor
India - Bidis (hand-rolled cigarettes) - Child Labor
India - Brassware - Child Labor
India - Bricks - Child Labor and Forced Labor

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India - Carpets - Child Labor and Forced Labor
India - Cottonseed (hybrid) - Child Labor and Forced Labor
India - Embroidered Textiles (zari) - Child Labor and Forced Labor
India - Fireworks - Child Labor
India - Footwear - Child Labor
India - Garments - Child Labor and Forced Labor
India - Gems - Child Labor
India - Glass Bangles - Child Labor
India - Leather Goods/Accessories - Child Labor
India - Locks - Child Labor
India - Matches - Child Labor
India - Rice - Child Labor and Forced Labor
India - Silk Fabric - Child Labor
India - Silk Thread - Child Labor
India - Soccer Balls - Child Labor
India - Stones - Child Labor and Forced Labor
Indonesia - Footwear(sandals) - Child Labor
Indonesia - Gold - Child Labor
Indonesia - Tobacco - Child Labor
Iran - Carpets - Child Labor
Jordan - Garments - Forced Labor
Kazakhstan - Cotton - Child Labor and Forced Labor
Kazakhstan - Tobacco - Child Labor and Forced Labor
Kenya - Coffee - Child Labor
Kenya - Miraa (stimulant plant) - Child Labor
Kenya - Rice - Child Labor
Kenya - Sisal - Child Labor
Kenya - Sugarcane - Child Labor
Kenya - Tea - Child Labor
Kenya - Tobacco - Child Labor
Kyrgyz Republic - Cotton - Child Labor
Kyrgyz Republic - Tobacco - Child Labor
Lebanon - Tobacco - Child Labor

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Liberia - Diamonds - Child Labor
Liberia - Rubber - Child Labor
Malawi - Tea - Child Labor
Malawi - Tobacco - Child Labor and Forced Labor
Malaysia - Garments - Forced Labor
Malaysia - Oil (palm) - Forced Labor
Mali - Gold - Child Labor
Mali - Rice - Child Labor and Forced Labor
Mexico - Beans (green beans) - Child Labor
Mexico - Chile Peppers - Child Labor
Mexico - Coffee - Child Labor
Mexico - Cucumbers - Child Labor
Mexico - Eggplants - Child Labor
Mexico - Melons - Child Labor
Mexico - Onions - Child Labor
Mexico - Pornography - Child Labor
Mexico - Sugarcane - Child Labor

Mexico - Tobacco - Child Labor
Mexico - Tomatoes - Child Labor
Mongolia - Coal - Child Labor
Mongolia Fluorspar (mineral) - Child Labor
Mongolia - Gold - Child Labor
Nepal - Bricks - Child Labor and Forced Labor
Nepal - Carpets - Child Labor and Forced Labor
Nepal - Embroidered Textiles (zari) - Child Labor and Forced Labor
Nepal - Stones - Child Labor and Forced Labor
Nicaragua - Bananas - Child Labor
Nicaragua - Coffee - Child Labor
Nicaragua - Gold - Child Labor
Nicaragua - Gravel (crushed stones) - Child Labor
Nicaragua - Shellfish - Child Labor
Nicaragua - Stones (pumice) - Child Labor
Nicaragua - Tobacco - Child Labor

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Niger - Gold - Child Labor
Niger - Gypsum (mineral) - Child Labor
Niger - Salt - Child Labor
Niger - Trona (mineral) - Child Labor
Nigeria - Cocoa - Child Labor and Forced Labor
Nigeria - Granite - Child Labor and Forced Labor
Nigeria - Gravel (crushed stones) - Child Labor and Forced Labor
Nigeria - Manioc/Cassava - Child Labor
Nigeria - Sand - Child Labor
North Korea - Bricks - Forced Labor
North Korea - Cement - Forced Labor
North Korea - Coal - Forced Labor
North Korea - Gold - Forced Labor
North Korea - Iron - Forced Labor
North Korea - Textiles - Forced Labor
Pakistan - Bricks - Child Labor and Forced Labor
Pakistan - Carpets - Child Labor and Forced Labor
Pakistan - Coal - Child Labor and Forced Labor
Pakistan - Cotton - Forced Labor
Pakistan - Glass Bangles - Child Labor
Pakistan - Leather - Child Labor
Pakistan - Sugarcane - Forced Labor
Pakistan - Surgical Instruments - Child Labor
Pakistan - Wheat - Forced Labor
Panama - Coffee - Child Labor
Panama - Sugarcane - Child Labor
Paraguay - Cattle - Forced Labor
Paraguay - Cotton - Child Labor
Peru - Brazil Nuts/Chestnuts - Forced Labor
Peru - Bricks - Child Labor
Peru - Coca (stimulant plant) - Child Labor
Peru - Fireworks - Child Labor
Peru - Gold - Child Labor and Forced Labor

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Peru - Timber - Forced Labor
Philippines - Bananas - Child Labor
Philippines - Coconuts - Child Labor
Philippines - Corn - Child Labor
Philippines - Fashion Accessories - Child Labor
Philippines - Gold - Child Labor
Philippines - Hogs - Child Labor
Philippines - Pornography - Child Labor
Philippines - Pyrotechnics - Child Labor
Philippines - Rice - Child Labor
Philippines - Rubber - Child Labor
Philippines - Sugarcane - Child Labor
Philippines - Tobacco - Child Labor
Russia - Pornography - Child Labor and Forced Labor
Senegal - Gold - Child Labor
Sierra Leone - Diamonds - Child Labor and Forced Labor
Sierra Leone - Granite - Child Labor
Tajikistan - Cotton - Child Labor and Forced Labor
Tanzania - Cloves - Child Labor

Tanzania - Coffee - Child Labor
Tanzania - Gold - Child Labor
Tanzania - Nile Perch (fish) - Child Labor
Tanzania - Sisal - Child Labor
Tanzania - Tanzanite (gems) - Child Labor
Tanzania - Tea - Child Labor
Tanzania - Tobacco - Child Labor
Thailand - Garments - Child Labor and Forced Labor
Thailand - Pornography - Child Labor
Thailand - Shrimp - Child Labor and Forced Labor
Thailand - Sugarcane - Child Labor
Turkey - Citrus Fruits - Child Labor
Turkey - Cotton - Child Labor
Turkey - Cumin - Child Labor
Turkey - Furniture - Child Labor

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Turkey - Hazelnuts - Child Labor
Turkey - Peanuts - Child Labor
Turkey - Pulses (legumes) - Child Labor
Turkey - Sugar Beets - Child Labor
Turkmenistan - Cotton - Child Labor and Forced Labor
Uganda - Bricks - Child Labor
Uganda - Cattle - Child Labor
Uganda - Charcoal - Child Labor
Uganda - Coffee - Child Labor
Uganda - Rice - Child Labor
Uganda - Sugarcane - Child Labor
Uganda - Tea - Child Labor
Uganda - Tobacco - Child Labor
Uganda - Vanilla - Child Labor
Ukraine - Coal - Child Labor
Ukraine - Pornography - Child Labor
Uzbekistan - Cotton - Child Labor and Forced Labor

E.O. LIST: FORCED CHILD LABOR ONLY

Argentina - Garments
Benin - Cotton
Bolivia - Brazil Nuts/Chestnuts
Bolivia - Sugarcane
Brazil - Charcoal
Burkina Faso - Cotton
Burkina Faso- Gold
Burma - Bamboo
Burma - Beans (green, soy, yellow)
Burma - Bricks
Burma - Rice
Burma - Rubber
Burma - Sugarcane
Burma - Teak
China - Bricks

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China - Cotton
China - Electronics
China - Toys
Colombia - Coca(stimulant plant)
Cote d'Ivoire - Cocoa
Cote d'Ivoire - Coffee
Ghana - Tilapia (fish)
India - Bricks
India - Carpets
India - Cottonseed (hybrid)
India - Embroidered Textiles (zari)
India - Garments
India - Rice
India - Stones
Malawi - Tobacco
Mali- Rice
Nepal - Bricks
Nepal - Carpets
Nepal - Embroidered Textiles (zari)
Nepal - Stones
Nigeria - Cocoa

Nigeria - Granite
Nigeria - Gravel (crushed stones)
Pakistan - Bricks
Pakistan - Carpets
Pakistan - Coal
Russia - Pornography
Sierra Leone - Diamonds
Tajikistan - Cotton
Thailand - Garments
Thailand - Shrimp
Uzbekistan - Cotton

11. (SBU) Post may wish to deliver the following points,

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which offer technical and legal background on the TVPRA List, to the host government:

-- The U.S. Congress, through passage of the Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA OF 2005), directed the U.S. Department of Labor (DOL) to develop and make available to the public a list of goods from countries that DOL has reason to believe are produced by forced labor or child labor in violation of international standards. The primary purpose of the TVPRA List is to promote awareness and increased efforts to eliminate child labor and forced labor in the production of goods.

-- Pursuant to this mandate, in October 2007 DOL published a draft set of procedural guidelines to govern the development of its TVPRA List of goods. The guidelines set forth the criteria by which information is evaluated; establish procedures for public submission of information to be considered by ILAB; and lay out the process ILAB will follow in maintaining and updating the TVPRA List after its initial publication. DOL invited public comments on this draft, incorporated the comments received, and published the final procedural guidelines on December 27, 2007. These procedural guidelines are available at:
http://edocket.access.gpo.gov/2007/pdf/E7-250_36.pdf.

-- These procedural guidelines include five criteria that DOL used in evaluating information and making decisions on its TVPRA List. These criteria are: 1) the nature of the information (i.e., whether the work situations meet DOL's definitions of "child labor" and "forced labor"); 2) the date of the information (7 years old or less at time of receipt); 3) the source of the information (methodology, reputation, credibility, experience); 4) the extent of corroboration from

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various sources; and, 5) whether the information indicates a significant incidence of child labor or forced labor in the production of the good.

-- In compiling its initial TVPRA List, DOL gathered and analyzed research on thousands of goods, from a variety of sources including reports issued by international organizations, surveys, academic research, documentation from USG-funded technical assistance and field research projects, news reports, and additional, extensive research by staff and contractors. DOL also solicited information from the public through a public request for information and a Public Hearing held at DOL on May 28, 2008 (transcript available at http://www.dol.gov/ilab/programs/ocft/pdf/200_80423g.pdf).

-- As emphasized in the forthcoming report, the listing of any particular good and country on does not indicate that all production of the good in that country involves forced labor or child labor, but rather that there is a significant incidence of forced labor and/or child labor in the production of the good. The identity of specific firms or individuals using child labor or forced labor was not part of the statutory mandate.

--In developing the TVPRA List, DOL considered government, industry, and third party efforts to eliminate child labor and forced labor in each good/country in which they were found, before placing the item on the TVPRA List, but if these efforts did not "significantly reduce" the problems, it remained on the TVPRA List. The purpose of the TVPRA List is to promote further efforts that will lead to the elimination of these types of labor in the production of these goods. DOL intends to continue working with governments, NGOs, and the private sector to combat problems in these sectors. In

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fiscal year 2009, DOL is providing nearly \$60 million in grants for technical assistance to combat child labor.

-- The TVPRA of 2005 also mandates that DOL consult with other departments and agencies of the U.S. Government to reduce forced and child labor internationally and ensure that products made by forced labor and child labor in violation of international standards are not imported into the United States. DOL developed the TVPRA List in consultation with relevant U.S. government agencies. However, the listing of any particular good does not serve as a legal basis for an import ban on that good. DOL does not have enforcement authority over any matters related to importation of goods into the United States.

-- For the purposes of these TVPRA mandates, DOL defines "child labor" in accordance with International Labor Organization (ILO) Conventions 138 and 182. "Child labor" is all work performed by a person below the age of 15. It also includes all work performed by a person below the age of 18 in the following practices: (A) All forms of slavery or practices similar to slavery, such as the sale or trafficking of children, debt bondage and serfdom, or forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; (B) the use, procuring, or offering of a child for prostitution, for the production of pornography or for pornographic purposes; (C) the use, procuring, or offering of a child for illicit activities in particular for the production and trafficking of drugs; and (D) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety, or morals of children. The work referred to in subparagraph (D) is determined by the laws, regulations, or competent authority of the country

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involved, after consultation with the organizations of employers and workers concerned, and taking into consideration relevant international standards. This definition does not apply to work specifically authorized by national laws, including work done by children in schools for general, vocational or technical education or in other training institutions, where such work is carried out in accordance with international standards under conditions prescribed by the competent authority, and does not prejudice children's attendance in school or their capacity to benefit from the instruction received.

-- "Forced labor" is defined in accordance with ILO Convention 29 as all work or service which is exacted from any person under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily, and includes indentured labor. It also includes "forced labor" as defined under U.S. laws to constitute work provided or obtained by force, fraud, or coercion, including: (1) By threats of serious harm to, or physical restraint against any person; (2) by means of any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform such labor or services, that person or another person would suffer serious harm or physical restraint; or (3) by means of the abuse or

threatened abuse of law or the legal process. For purposes of this definition, forced labor does not include work specifically authorized by national laws where such work is carried out in accordance with conditions prescribed by the competent authority, including: any work or service required by compulsory military service laws for work of a purely military character; work or service which forms part of the normal civic obligations of the citizens of a fully self-governing country; work or service exacted from

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any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations; work or service required in cases of emergency, such as in the event of war or of a calamity or threatened calamity, fire, flood, famine, earthquake, violent epidemic or epizootic diseases, invasion by animal, insect or vegetable pests, and in general any circumstance that would endanger the existence or the well-being of the whole or part of the population; and minor communal services of a kind which, being performed by the members of the community in the direct interest of the said community, can therefore be considered as normal civic obligations incumbent upon the members of the community, provided that the members of the community or their direct representatives have the right to be consulted in regard to the need for such services.

-- On September 10, 2009, DOL will release the full TVPRA List of goods and countries on the DOL Web site, in a new report, "The Department of Labor's List of Goods Produced with Child Labor or Forced Labor". We are providing you an advance copy of the List. Please keep this information embargoed until September 10.

¶12. (SBU) At posts' discretion, DOL recommends that the report also be made available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TVPRA List is released.

¶13. (SBU) The following is press guidance provided for post to use with local media. DOL has endeavored to develop

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comprehensive responses to common questions that may arise with publication of the TVPRA List. Post may also draw from the TVPRA report package being sent to post in a separate communication. DOL is available to provide additional guidance or responses to specific issues as needed.

Q1: Why did DOL produce this List?

A1: The U.S. Congress, through passage of the Trafficking Victims Protection Reauthorization Act of 2005 (TVPRA OF 2005), directed the U.S. Department of Labor (DOL) to develop and make available to the public a List of goods from countries that DOL has reason to believe are produced by forced labor or child labor in violation of international standards.

Q2: What is the purpose of the TVPRA List?

A2: The primary purpose of the List is to promote awareness and increased efforts to eliminate forced labor and child labor in the production of goods.

Q3: How did DOL make decisions on goods to place on the TVPRA List?

A3: In October 2007 DOL published a draft set of procedural guidelines to govern the development of its List of goods. The guidelines set forth the criteria by which information is evaluated; establish procedures for public submission of information to be considered by ILAB; and lay out the process

ILAB will follow in maintaining and updating the TVPRA List after its initial publication. DOL invited public comments on this draft, incorporated the comments received, and published the final procedural guidelines on December 27, 2007. The five criteria include 1) nature of information; 2) date of information; 3) source of information; 4) extent of corroboration; and 5) significant incidence. The terms and

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definitions of these criteria and the full procedural guidelines are available at:

http://edocket.access.gpo.gov/2007/pdf/E7-250_36.pdf.

Q4: Where did DOL find information on goods made with forced labor and child labor?

A4: In compiling its initial TVPRA List, DOL gathered and analyzed research from a variety of sources including a public request for information, a Public Hearing held at DOL on May 28, 2008 (transcript available at <http://www.dol.gov/ilab/programs/ocft/pdf/20080423g.pdf>), and additional, extensive research by staff and contractors. This research drew from a wide variety of materials, including U.S. Government agency reports, foreign governments, international organizations and NGOs, U.S. Government-funded technical assistance and field research projects, academic research, independent researchers, the media, and others. For each good that appears on the TVPRA List, DOL has made available a list of the sources (articles, reports, publications, communications, etc.) that were relied upon in reaching the determination. These bibliographies can be found in the TVPRA report, and on DOL's Web site at <http://www.dol.gov/ILAB/programs/ocft/tvptra.htm>.

Q5: How does DOL define "child labor" and "forced labor"?

A5: DOL defined these terms in line with the relevant ILO standards, including Convention 138 on the Minimum Age; C.182 on the Prohibition of the Worst Forms of Child Labor; C.29 on Forced Labor.

Q6: How does DOL define its criterion of "significant incidence" of forced labor or child labor? Is this a statistical term? If so, how can DOL apply it to (good) in (country) in which statistical data has not been collected?

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A6: The research conducted in response to the TVPRA followed the criteria in DOL's procedural guidelines. A "significant incidence of child labor or forced labor" is not defined as a specific quantity or percentage of child or forced labor, but by the extent to which the evidence provides indications of significance: "Information that relates only to a single company or facility; or that indicates an isolated incident of child labor or forced labor, will ordinarily not weigh in favor of a finding that a good is produced in violation of international standards. Information that demonstrates a significant incidence of child labor or forced labor in the production of a particular good(s), although not necessarily representing a pattern or practice, will ordinarily weigh in favor of a finding that a good is produced in violation of international standards." In creating the TVPRA List, both quantitative and qualitative data were analyzed using these guidelines.

It is important to understand that a listing of any particular good and country does not indicate that all production of the good in that country involves forced labor or child labor, but rather that there is a significant incidence of forced labor and/or child labor in the production of the good. There may be firms in a given country that produce the good in compliance with the law and those that willfully employ child labor and forced labor. Labor conditions may differ widely in different regions of the country, among other variables. The identity of specific firms or individuals using child labor or forced labor was

not part of the statutory mandate.

Q7: In identifying goods to be placed on the TVPRA List, what were DOL's criteria regarding the date of source information?

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A7: In general, DOL used sources that were a maximum of 7 years old at the time we carried out research in 2008-2009, consistent with our published methodology. More current information was generally given priority, and information older than seven years was generally not considered. The Department's experience is that the use of child labor and forced labor in a country or in the production of a particular good typically persists for several years, particularly when no meaningful action is taken to combat it. Information about such activities is often actively concealed. Information that is several years old therefore can provide useful context for more current information.

DOL made an exception to the maximum source-age policy in the case of child labor surveys. Given the slow-changing nature of the child labor situation in a given country, child labor surveys are carried out infrequently. For this reason, ILAB used some survey data that was a maximum of 10 years old.

Q8: Does DOL define a "good" as whole product categories or pieces of products or both?

A8: As appropriate, DOL takes into consideration the stages in the chain of a good's production. Whether a good is placed on the TVPRA List may depend on the stage of production in which child labor or forced labor was used. For example, if child labor or forced labor was only used in the extraction, harvesting, assembly, or production of raw materials or component articles, and these materials or articles are subsequently used under non-violative conditions in the manufacture or processing of a final good, only the raw materials or component articles and the country/ies where they were extracted, harvested, assembled, or produced, as appropriate, and only for those countries where they were extracted, harvested, assembled, or produced are on the TVPRA

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List. If child labor or forced labor was used in both the production or extraction of raw materials or component articles and the manufacture or processing of a final good, then both the raw materials or component articles and the final good, and the country/ies in which such labor was used, are included on the TVPRA List. This is to ensure a direct correspondence between the goods and countries which appear on the TVPRA List, and the use of child labor or forced labor.

Q9: Why does the TVPRA List include goods produced in the informal or "artisan" sector of production?

A9: In compliance with the scope of the TVPRA mandate, ILAB's research focused on all economic activity in the production of goods. Economic activity includes all formal and informal sector production of goods, including goods produced just for personal and family consumption. Examples of informal sector activity include casual day-labor hired without contract; small-scale farming and fishing; artisanal mining and quarrying; and manufacturing work performed in home-based workshops. The production of illicit goods is included in these informal economic activities but the appearance of such goods on the TVPRA List is not intended to condone or legitimize these goods or forms of work.

Q10: Why does the TVPRA List include goods that are not exported to the United States?

A10: ILAB's research focused on all economic activity in the production of goods. Most child labor occurs in small-scale production of goods for local consumption, not in production of goods for international trade. Although data is limited

on the consumption patterns of goods made with forced labor, this may be true of forced labor as well. In conducting research, ILAB did not distinguish between goods produced for

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domestic consumption and for export, due to the fact that this was not part of the mandate of the TVPRA.

Q11: What are the consequences for a good being placed on the TVPRA List? Will the U.S. Government use this List as justification for blocking imports of the listed goods?

A11: It is important to clarify that the TVPRA List itself does not serve as the legal basis for a prohibition on imports. It is a technical report on the incidence of child labor and forced labor in the production of goods, irrespective of whether they are produced for export or domestic use. The TVPRA List was not developed using the criteria of customs law; therefore the listing of a good is not in itself a basis for decisions regarding its importation to the United States.

The TVPRA mandates that DOL consult with other departments and agencies of the United States Government to reduce forced and child labor internationally and ensure that products made by forced labor and child labor in violation of international standards are not imported into the United States. Prior to publishing the TVPRA List, and in making determinations concerning the addition or removal of the good from the initial TVPRA List, ILAB consulted extensively with relevant U.S. government agencies, including those which have authority to prohibit the importation of certain goods into the United States.

Q12: Is this TVPRA List a means by which certain goods are being identified in order to give U.S. producers a competitive advantage?

A12: No. The purpose of the TVPRA List is to promote awareness and increased efforts to eliminate child labor and forced labor. The legislation calls for steps to be taken by

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the U.S. government in order to reduce the incidence of forced and child labor in the listed goods, and supports internationally recognized workers' rights and labor standards.

Q13: Why does the TVPRA List leave some countries out? Did ILAB conduct research on those countries and find no child labor or forced labor?

A13: If a country does not appear on ILAB's TVPRA List, this does not necessarily mean that there is no child labor or forced labor in the production of goods. In some countries, adequate data on child labor and forced labor is not available. In addition, ILAB's research for the initial TVPRA List focused on 77 countries(see TVPRA report for a list of the 77 countries). ILAB staff receives new information on forced labor and child labor on a regular basis, and will continue to review information on the countries that already appear on the TVPRA List as well as countries that are not yet listed. Consequently, countries may be added to the TVPRA List as additional information comes to light.

Q14: How did ILAB select the 77 countries that were researched in 2008-2009?

A14: In the TVPRA of 2008, Congress required that ILAB publish an initial List by January 15, 2010. In order to make the best use of office resources within the research period, ILAB selected 77 countries for review, based on an initial screening indicating a significant incidence of child labor, forced labor, and/or human trafficking in these countries. ILAB will continue to research additional countries for possible inclusion in the TVPRA List, as appropriate.

Q15: Why is the United States not included on the TVPRA List?

A15: Coverage of domestically-produced goods was not part of the TVPRA mandate, thus, ILAB did not conduct research on the United States. However, the U.S. Department of Labor (USDOL) recognizes that both child labor and forced labor occur in the United States. USDOL is committed to ensuring that child labor laws are strictly enforced, and investigates potential violations through its Wage and Hour Division (WHD). Every on-site investigation conducted by WHD has a child labor component. Child labor complaints, although not numerous, are given the highest priority within the agency. Each year, WHD regional and local offices plan and undertake child labor compliance initiatives in a variety of industries.

With regard to forced labor, President Obama has recently called attention to the thousands of persons trapped in various forms of enslavement across the country, calling for prosecution and international coordination. WHD, along with other federal and state agencies, plays an important role in detecting and responding to potential situations of forced labor. WHD investigators are trained to recognize situations in which workers have been exploited, and to refer these situations to the appropriate law enforcement authorities. WHD specifically targets low-wage industries, where forced labor is most likely to be found. For information on WHD's mandates, please visit <http://www.dol.gov/esa/whd/regs/statutes/summary.htm>

Q16: Why is my government/country being targeted by this TVPRA List? (Point 1: There are other countries in the world that have a worse record on labor rights. Or Point 2: We have been making great efforts to combat the problems, and/or are cooperating with the U.S. Government, ILO, etc. on child labor and forced labor projects.)

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A16: This TVPRA List is not intended to single out any country or government for "blame." The U.S. Government recognizes that the problems of child labor and forced labor are often complex, cross-border issues that involve many different actors, including but not limited to national governments. We also understand that some countries may be disproportionately represented in the TVPRA List, but it should not be assumed that these countries have the most serious problems of child labor or forced labor. Often, these are the countries that have adopted a more open approach to research and have allowed information on these issues to be widely available. The number of goods on the TVPRA List from any particular country should not be interpreted as a definitive indicator that these countries have the most extensive problems of child labor and forced labor.

Q17: Why doesn't DOL's TVPRA List include the names of individual companies using forced labor or child labor?

A17: The TVPRA mandated a List of goods and countries, not companies, and it would be difficult for DOL to attempt to track the identity of every company using forced labor or child labor. In addition, it is the Department's experience that child labor and forced labor frequently occur in small local enterprises, for which company names, if they are available, have little relevance. Moreover, holding individual companies accountable would exceed the mandate of the TVPRA.

Q18: Has DOL taken into account the efforts of my government/country to address the problems of child labor and forced labor?

A18: DOL considered government, industry, and third party efforts to eliminate child labor and forced labor in each

good/country in which they were found, before placing the item on the TVPRA List, but if these efforts did not "significantly reduce" the problems, it remained on the TVPRA List. The main purpose of the TVPRA List is to promote further efforts that will lead to the elimination of these types of labor in the production of these goods. DOL intends to continue working with governments, NGOs, and the private sector to combat problems in these sectors. In fiscal year 2009, DOL is providing nearly \$60 million in grants for technical assistance to combat child labor.

Q19: Why publish this TVPRA List at a time when dire conditions in the world economy are threatening the livelihoods of so many agricultural producers and other productive industries?

A19: The primary purpose of the TVPRA List is to promote awareness and increased efforts to eliminate forced labor and child labor in the production of goods. Because unfavorable economic conditions can sometimes lead to exploitive labor conditions, publication of the TVPRA List will promote increased awareness of forced and child labor conditions that may create opportunities for forging new partnerships and collaboration to address these issues.

Q20: How will DOL use the TVPRA List to promote awareness and increased efforts to eliminate force labor and child labor in the production of goods?

A20: The TVPRA legislation requires that DOL "work with persons who are involved in the production of goods on the list (to create a standard set of practices that will reduce the likelihood that such persons will produce goods using (forced or child labor)." To fulfill this mandate, DOL funds projects to seek expert advice on good practices and to hold stakeholder meetings to share such practices.

In Fiscal Year 2009, DOL is providing approximately \$60 million for new research and technical assistance projects to eliminate child labor, forced labor, and trafficking around the world. DOL's Office of Child Labor, Forced Labor and Human Trafficking (OCFT) is currently funding over 50 active projects in over 50 countries, worth over \$200 million, and is the largest donor to the ILO's International Program on the Elimination of Child Labor (IPEC). Since 1995, Congress has appropriated more than \$720 million to OCFT to administer international projects to withdraw and prevent children from entering the worst forms of child labor. OCFT has provided this funding to implement more than 200 such projects in over 80 countries. Many of these projects impact children who are engaged in or vulnerable to child labor in the production of goods. The TVPRA List will provide an important tool for DOL going forward to assess future technical assistance priorities.

DOL is not currently funding technical assistance projects targeting forced labor of adults, but has done so in the past, and is currently funding field research on this subject in a number of countries. The development of the TVPRA List will allow DOL to identify areas in which the knowledge base on forced labor needs to be expanded.

In addition, by publishing the TVPRA List and identifying the sources DOL used to place each good on the TVPRA List, DOL will raise public awareness of forced labor and child labor issues. This supports ILAB's mission to promote internationally recognized workers' rights and labor standards, including the elimination of exploitive child labor and forced labor.

Q21: How often will the TVPRA List be updated with new and removed items?

A21: The TVPRA List will be updated on a periodic basis, depending on the nature and extent of information received through the process spelled out in the procedural guidelines, and as additional information otherwise becomes available.

Q22: How does the TVPRA List differ from the list mandated under Executive Order 13126?

A22: Executive Order 13126 on the "Prohibition of Acquisition of Products Produced by Forced or Indentured Child Labor," was issued on June 12, 1999. The Executive Order is intended to ensure that federal agencies enforce laws relating to forced or indentured child labor in the procurement process. This differs from the TVPRA List, which is intended to promote efforts to monitor and combat forced labor and child labor in the production of goods in foreign countries. The Executive Order on federal procurement applies only to the goods on the Executive Order List, not to those on the TVPRA List. In addition, the Executive Order list covers forced or indentured child labor, while the TVPRA List focuses on a broader population, including adults in forced labor and children in exploitative labor that is not necessarily forced or indentured. The initial list of products developed under Executive Order 13126 by ILAB, in consultation and cooperation with the Department of the Treasury and the Department of State, was published in the January 18, 2001, Federal Register. See 66 Fed. Reg. 5353 (January 18, 2001). On September 10, DOL will release an initial determination proposing to update the E.O. List. This initial determination will be issued for public comment in the Federal Register on September 11, as noted in para 3. The 2001 E.O. List remains valid until the public comment period has ended and DOL issues a final

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determination with a revised E.O. List.

¶14. (U) Questions regarding this demarche may be directed to Rachel Rigby at (202) 693-4833, e-mail rigby.rachel@dol.gov; Leyla Strotkamp at (202) 693-4813, e-mail: strotkamp.leyla@dol.gov; and/or Charita Castro at (202) 693-4844, e-mail castro.charita@dol.gov, with CC to DRL/ILCSR Sarah Morgan (MorganSA@state.gov) and G/TIP Rachel Yousey (YouseyRM@state.gov).

¶15. (U) The Department and DOL greatly appreciate Posts' continued assistance.
CLINTON